

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CHARLES NELSON,

**Petitioner,**

v.

WILLIAM GITTERE, *et al.*,

## Respondents.

Case No. 3:18-cv-00029-RCJ-CLB

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME (ECF NO. 38)**

WILLIAM GITTERE, *et al.*,  
Respondents.

In this habeas corpus action, the petitioner, Charles Nelson, represented by appointed counsel, was due, after two 90-day extensions of time, to file a second amended habeas petition by January 6, 2020. See Order entered July 8, 2019 (ECF No. 33); Order entered October 7, 2019 (ECF No. 37).

On January 6, 2020, Nelson filed a motion for extension of time (ECF No. 38), requesting a third extension of time, of another 91 days, to April 6, 2020, to file his second amended petition. Nelson's counsel states that the extension of time is necessary because of the complexity of this case, the time it has taken for him to obtain the record and research the case, and difficulties that have arisen between him and his client. Respondents do not oppose the extension of time.

The Court finds that Nelson's motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested. The Court will grant the motion for a third extension of time.

However, in view of the amount of time that counsel will have had to file the second amended petition – more than a year from his appointment -- the Court will not look favorably upon any motion to further extend this deadline.

**IT IS THEREFORE ORDERED** that Petitioner's motion for extension of time (ECF No. 38) is **GRANTED**. Petitioner will have until and including **April 6, 2020**, to file his second amended habeas petition.

**IT IS FURTHER ORDERED** that, in all other respects, the schedule for further proceedings set forth in the order entered March 12, 2019 (ECF No. 22) will remain in effect.

DATED THIS 23rd day of January, 2020.

~~ROBERT C. JONES,  
UNITED STATES DISTRICT JUDGE~~